

C.A. No. 1 of 1992.

Kanta Prasad

Applicant

versus

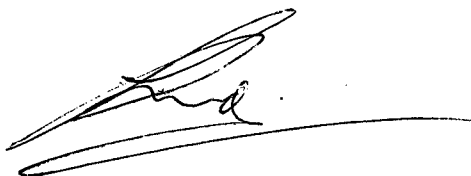
Union of India & others

Respondents.

Hon. Mr. S.N. Prasad, Member Judicial.

The applicant has approached this Tribunal under section 19 of the Administrative Tribunals Act, 1985 with a prayer, inter alia, for directing the opposite parties (respondents) to reinstate the petitioner in service without any break whatsoever.

Briefly stated, the facts of the case, as narrated by the applicant in the application, are that the applicant was initially appointed on the post of Mali in the office of Deputy Conservator of Forests (Administration) with effect from 1.11.89. According to the applicant, he continued rendering his services till 8.12.91 and when the applicant went to discharge his duties, as usual on 9.12.91, the chief clerk Shri G.G. Dasani, forbade him from discharging his duties saying that the Dy. Conservator of Forests (Administration) Shri Mishra has orally



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terminated his services and the applicant has further stated that likewise the applicant, there were other employees who were working in Class IV cadre and who are junior to the applicant, are still working and the applicant's services have been orally terminated, without any rhyme or reason.

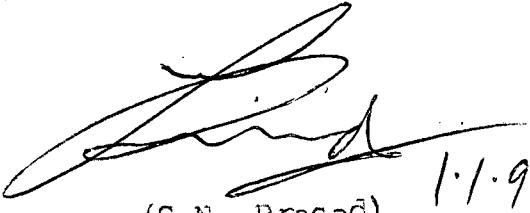
This is noteworthy that the representation of the applicant which is dated 11.12.91 (Annexure-4) is still pending with the respondents 3 and 4. It is also noteworthy that a period of six months has not expired so far. Section 20 of the Administrative Tribunals Act, 1985 provides that if the representation is not decided within six months, the aggrieved person may approach the Tribunal. Thus, in this view of the matter and keeping in view the facts and circumstances, ^{of the case} I find it expedient in the interest of justice that the respondents No. 3 & 4 be directed to consider the representation aforesaid dated 11.12.91 (Annexure 4) from proper perspective by a speaking order, in accordance with law within a period of three months from the date of receipt of a copy of this order, and I order accordingly.

The application is disposed of accordingly at the admission stage without any order as to costs.



It is made clear that in case the applicant is not satisfied with the decision made by respondents No. 3 and 4 on his representation (Annexure 4), he is at liberty to approach this Tribunal.

Lucknow: Dated: 1.1.92.


(S.N. Prasad), 1.1.92
Member Judicial.

Shakeel/